

### **REMARKS/ARGUMENTS**

Claims 2-4, 7, 9, 10, 12-15, 19, 20, 22, 23, 29, 33-35, 37, 42, 43, and 45-48 remain in this application. Claims 27, 28, 30-32, 36, 39, and 40 were previously canceled; claim 21 is hereby cancelled. Claims 1, 5, 6, 8, 11, 16-18, 24-26, 38, 41, 44, 49 and 50 are hereby withdrawn to facilitate the allowance of claims but applicants reserve the right to file a continuation application for all or some of the withdrawn claims and therefore this withdrawal should not be considered as an implied admission of unpatentability over prior art.

The examiner has acknowledged that claims 19, 20, 22, 23, 29, 33-35, and 37 are directed to allowable subject matter. Claims 42, 43 and 48 were objected to because of informalities. Claims 42 and 48 have been amended; however, applicants believe that there were no errors in claim 43. Claims 3, 4, 7, 9, 10, 12-15, 21, 42, 43, 45 and 48 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 48 is a previously added independent claim and applicants believe this objection is in error. Claims 46 and 47 were dependent upon objected claim 42.

Claims 1 and 2 were rejected under 35 U. S. C. 103(a) as being unpatentable over Vollmer (U. S. 6,432,885). Vollmer teaches a fluid which is used in fracturing a formation which comprises an amphoteric viscoelastic surfactant and an acid forming compound such as esters such as acetates, formates, etc., which would form acids, and alcohols such as methanol and ethanol, upon hydrolysis of the ester in the fluid. Claim 1 has been withdrawn and claim 2 has been amended to include all the elements of claims 1 and 2 except for a precursor of a breaking system wherein the precursor releases the breaking system by reaction with a compound present in the fluid or added to the fluid. Amended Claim 2 is therefore not unpatentable over Vollmer. Applicants believe that Claims 3, 4, 9 and 10, which are dependent on claim 2 and were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims are now allowable without amendment. Claims 7, 12 and 45 have been amended to be in independent form including all of the limitations of the base claim and any intervening claims. Claims 13 and 15 have been amended to be dependent upon claim 12. Claim 13 has also been amended to correct a typographical error. Claim 14 is

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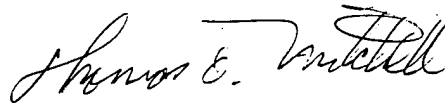
dependent on claim 13, now allowable. Claims 46 and 47 are dependent upon objected claim 42, now allowable, and require no amendment.

If there are any outstanding issues, the Examiner is invited to contact the undersigned for prompt resolution thereof.

The Commissioner is authorized to charge Deposit Account No. 04-1579(56.0503) in the amount of any applicable fees.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



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